SUBJECT INDEX

(England and Wales unless otherwise indicated)

Accounting
- acquisitions and mergers 221–222
- auditors 273–274
- building societies 82–83, 273–274
- current cost accounting 271–272
- deferred tax 270–271
- depreciation 223–224
- extraordinary items 272–273
- hire purchase contracts 33–35
- leases 33–35
- prior year adjustments 271–272
- small firms 222–223

Anton Piller Orders
- use of 113–114

Australia
- anti-crime measures 119
- articles of association 283–284
- insolvency law 190–191
- memorandum of association 283–284
- preferential payments 191
- schemes of arrangement 238
- time-share schemes 238
- unfair prejudice 237–238

Austria
- banking secrecy laws 141

Banking
- auditors and supervisors 273–274
- automated payments 127–128
- Cayman Islands 93–94
- credit balances 177–178
- foreign secrecy laws 51, 141
- Korean legislation 191–192
- on-demand bonds 83
- performance bonds 230
- Philippines 100–101

Building Societies
- accounting 82–83, 273–274

Businesses
- burdens on 178–180
- small businesses 222–223, 287

Caribbean
- *ultra vires* doctrine 141–143

Cayman Islands
- banking system 93–94

China
- patent law 143

Commodity Investment
- fraud 261–269

Companies Acts
- consolidation of 151–154

Company
- articles of association 202–203
- capital, reduction of 225
- charges
  - crystallisation of 277–278
  - future assets, over 9–20
  - registration of 128–129, 224–225
- contracts with third parties 68–76, 181–183
- oversea 187–188, 231–232
- powers of majority 190–208
- prospectus 232–234, 247–254
- registration certificate 88–89
- scheme of arrangement 130
- shares, *see* Shares
- Table A 153–154
- *ultra vires* transactions 155–160
- winding-up, *see* Winding-up

Computer Programs
- copyright 92

Confidential Information
- disclosure of 89–90

Contract
- New York law, governed by 136–137
- outsider protection 68–76, 181–183
- receiver's liability 281–282

Copyright
- audio and video material 135
- computer programs 92
- spare parts for products 186–187

Crime
- commercial and economic 113–121, 267–269

Debenture
- covenants 209–214
- private company 233–234

Debts
- factoring of 195

Denmark
- computerised dealing system 143–144

Directors
- dealings by 130
- disqualification 2, 183, 240
- exclusion from office 37–38
- false statements 274–277
- insolvent companies, of 55–58
- irregular contracts by 68–76
- prospectus requirements 247–254, 275
- ratification of acts of 200–202
- release from duties 199–200
- tort, liability in 180–181

EEC
- harmonisation of company law 76
- patent licensing 62–67
- prospectus requirements 251–254
- tax laws 47

Employment
- PAYE 47
- transfer of undertakings 254–261
- unfair dismissal 228–229
- wages 191

Extradition Order
- use of 116–117

Financial Services White Paper
- advertisements etc 122–126
- investment business 77–81
- investor protection 54
- promotion of confidence 150

Fraud
- attitudes towards 280–281
- commodity investment 261–269
- computer fraud 287
- prosecutions for 132–133

Futures Market
- protection of investors 133–134
- Singapore 147

Germany
- stock market 144

Hire Purchase Contracts
- accounting practice 33–35

Hong Kong
- company law 144

Indonesia
- foreign investment 99–100

Insolvency Bill
- administration orders 58–62
- companies, effect on 55–62
- directors' liability 55–58
- receivers and managers 107–109
- summary of 2, 52
- winding-up procedures 109–113

Investment
- commodities 261–269
- fraud, prevention of 233–234
- futures, in 133–134
- Indonesia 99–100
- protection of investor 54, 77–81, 244

Korea
- banking 191–192

Kuwait
- stock market 100

Leases
- accounting practice 33–35

Macau
- money changers 145

Mareva Injunctions
- use of 48–50, 114–115

Netherlands
- securities transactions 145

New Zealand
minority shareholders 192–194

Nigeria
partnerships 240–241
tax clearance certificates 146, 236

Pakistan
interest, charging of 284

Papua New Guinea
Mareva injunctions 48–50

Partnerships
Nigerian law 240–241
review of litigation 84–86

Passing off
'Budweiser' 135

Patents
Chinese law 143
licensing in EEC 62–67

Philippines
banking service 100–101

Procedure
leave to defend action 188
rules of 195

Receiver
continuing contracts 281–282
employees' salaries 185
powers of 151
unsecured creditors 161–163

Sale of Goods
performance bonds 230
Romalpa clause 38–39, 86–87

Scots Law
ultra vires transactions 158–159

Securities Regulation
conflicts of interest 137–140
dealers in securities 42–46
equities 41–42, 96–97
fraud, prevention of 233–234
gilt-edged securities 41–42, 96–97
insider trading 97–98
profit forecasts 233
prospectus 232–234
Stock Exchange quotations 282
take-over circulars 98

Shareholders
meetings 199–208
minority
New Zealand 192–194
oppression 21–32
protection of 21–32, 199–208
rights of 131–132
unfair prejudice 147

Shares
investigation of acquisition 184–185
own, purchase by company of 279–280
transfer of title 225–228
valuation 286

Singapore
directors 241–242
financial futures 147

Solicitors
CBI booklet 106, 287

South Africa
securities industry 10–102, 236

Stock Exchange, The
changes in rules 2, 288
investor protection 81
Listing Regulations 247–254
membership 288

Stockbroker
duty of care 3–8, 164–176, 215–220

Switzerland
banking secrecy 51

Take-overs and Mergers
accounting 221–222
Australian legislation 98
compulsory take-over bids 129–130
Griffiths Report 35–37, 185
guide to 286
misleading circulars 98
profit forecasts 233
South Africa 101–102

Taxation
advance corporation tax 188–189
appeals 46
avoidance 235
capital duty 234–235
deferred 270–271
demergers 234–236
disposal of assets 140
EEC countries 47
Eurobonds, interest on 189
IRC's duties 235–236
roll-over relief 140
stamp duty 140
trading stock 46–47

Trade Mark
Coca-Cola bottle 135
licence to use 92–93

Unit Trust
schemes 125–126

United States
commercial crime 118–119, 287
'sale of business' doctrine 285–286
securities markets 94–96
stockbrokers 3–8, 164–176, 215–220

Winding-up
avoidance of dispositions 230–231
compulsory, order for 39–40
Insolvency Bill and 55
jurisdiction 131
provisional, liquidator 90–91
receiver, *see* Receiver
unsecured creditors 161–163

Zimbabwe
foreign securities 103

CASE DIGEST

(United Kingdom unless otherwise indicated)

Acraman *v* Bates (1860) 29 LJQB 78 10
Adams *v* Thrift [1915] 1 Ch 557 248
Alcom Ltd *v* Republic of Colombia [1984] 1 AC 580 177, 178
Alexander *v* Automatic Telephone Co [1900] 2 Ch 56 200
Alexander *v* Simms (1854) 5 De GM & G 57 11
Allen *v* Gold Reefs of West Africa Ltd [1900] 1 Ch 656 199, 202, 203, 206, 208
Alley *v* Hotson (1815) 4 Camp 325 12
Allison, Johnson & Foster Ltd, *Re* [1904] 2 KB 327 70
Alton Corporation, *Re* [1985] BCLC 27 187
Aluminium Industry Vaasen BV *v* Romalpa Aluminium Ltd [1976] 1 WLR 676 18, 160, 163
Anderson *v* Dalkeith Engineering Ltd [1984] IRLR 429 259, 260
Andrabell Ltd, *Re* [1984] 3 All ER 407 38, 160
Andrews *v* Mockford [1896] 1 QB 372 249
Angus Jowett & Co Ltd (in liq) *v* NUTGW [1985] IRLR 326 256, 257, 260
Anheuser-Busch Inc *v* Budejovicky Budvar NP [1984] FSR 413 135
Anns *v* Merton London Borough Council [1978] AC 728 84, 169, 170
Anton Piller KG *v* Manufacturing Processes Ltd [1976] Ch 55 113
Apex Leisure Hire *v* Barratt [1984] ICR 452 256, 258
Apple Computer Inc *v* Computer Edge Pty Inc [1984] FSR 481 92
Applications by the Coca-Cola Company, *Re* FT Comm Cas (1985) 30 January 136
Armagas *v* Mundogas FT Com LR (1984) 31 October 71
Armstrong *v* McGibbon (1905) 29 Que SC 289 184
Armstrong *v* Jackson [1917] 2 KB 822 215
Arnold & Co Ltd, *Re* [1984] BCLC 535 128
Ashbury Carriage Co *v* Riche (1875) LR 7 HL 653 75, 143
Ashby Warner & Co *v* Simmons [1936] 2 All ER 697 224

Ashpurton Estates Ltd, *Re* [1983] Ch 110 89, 128, 129
Atwool *v* Merryweather (1867) LR 5 Eq 464n 200

Babcock *v* Lawson (1880) 5 QBD 284 11
Baby Moon, (UK) Ltd, *Re* (1985) 1 BCC 99, 298 131
Bainbridge *v* Smith (1889) 41 Ch D 462 131
Baird *v* Baird & Co 1949 SLT 368 202
Baird *v* Lees [1924] SC 83 40
Bakarim *v* Victoria P Shipping Co Ltd [1980] 2 Lloyd's Rep 193 115
Bamford *v* Bamford [1970] Ch 212 200
Bank of Syria, *Re* [1901] 1 Ch 115 75
Barber *v* Meyerstein (1870) LR 4 HL 317 12
Barber *v* Richards (1851) 6 Exch 63 10
Bargate *v* Shortridge (1855) 5 HL Cas 297 69
Barnett, Hoares & Co *v* South London Tramways (1887) 18 QBD 815 75
Batchelor *v* Premier Motors (Romford) Ltd COIT 17295/83/LJ 257, 259
Beattie *v* E & F Beattie Ltd [1983] Ch 708 283
Beckley *v* Newland (1723) 2 Pims 182 14
Bekhor (AJ) *v* Bilton [1981] 2 All ER 565 50, 115
Belding *v* Read (1865) 3 H & C 955 10, 12, 16
Bell House Ltd *v* City Wall Properties Ltd [1966] 2 QB 656 155, 158
Bentley (Dick) Productions Ltd *v* Smith (Harold) Motors Ltd [1963] 2 All ER 650 165
Berriman *v* Delabole Slate [1984] ICR 636 260
Bewley *v* Hancock (1856) 6 De GM & G 391 14, 18
Biggerstaff *v* Rowatt's Wharf [1896] 2 Ch 93 69
Birch *v* Ellames (1794) 2 Anst 427 13, 14
Blackwood *v* Robertson 1984 SLT Sh Ct 68 85
Bloomer *v* Union Coal and Iron Co (1873) LR 16 Eq 383 14, 15
Blue Metal Industries *v* Dilley [1970] AC 323 129
Bond Worth Ltd, *Re* [1980] Ch 228 18, 39, 87, 160
Borden (UK) Ltd *v* Scottish Timber Products Ltd [1981] Ch 25 18, 160
Boulting *v* ACTAT [1963] 2 QB 606 199, 202
Briggs *v* Gunner (unreported) Chancery Division (1979) 16 January 170, 217, 219
Brigid Foley *v* Ellott [1982] FSR 433 186
British Asbestos *v* Boyd [1903] 2 Ch 439 70
British Bank of the Middle East *v* Sun Life Assurance Co of Canada (UK) Ltd [1983] 2 Lloyds Rep 9 73
British Leyland Motor Co Ltd *v* Armstrong Patents Ltd [1984] FSR 591 186, 187
British Steel Corpn *v* Granada TV [1981] 1 All ER 417 89, 90
Briton, Medical General and Life Association (The) *v* Jones (1889) 61 LT 384 70
Brodega Co Ltd, *Re* [1904] 1 Ch 276 37
Brown *v* British Abrasive Wheel Co [1919] 1 Ch 290 203, 204
Brown *v* Heathcote (1746) 1 Atk 160 13, 14
Brown *v* Tanner (1868) 3 Ch App 597 14
Browne *v* Catlow (1983) unreported 258
Bucknal *v* Roiston (1709) 1 Prec in Chancery 285 13, 14
Bugle Press Ltd [1961] Ch 270 130
Burgh *v* Francis (1683) 3 Swanst 536n 13
Burland *v* Earle [1902] AC 83 199, 202, 208
Burn *v* Cavalho (1839) 4 My & Cr 690 14
Bury *v* Allen (1845) 1 Coll 589 85

Cane *v* Jones [1980] 1 WLR 1451 76, 151
Canning *v* Niaz; Same *v* McLoughlin [1983] IRLR 431 260
Carlton Contractors Ltd *v* Bexley Corp (1962) 60 LGR 331 68
Carlton Holdings Ltd, *Re* [1971] 2 All ER 1082 130
Capon *v* Rees Motors [1980] IRLR 294 229
Carr *v* Acraman (1856) 11 Exch 566 12
Carr *v* Allatt (1858) 27 LJ Exch 385 10, 13
Carrington Viyella, *Re, Financial Times* (1983) 16 February 29, 30
Carter *v* Wake (1877) 4 Ch D 605 10, 11
Casberd *v* A-G (1819) 6 Price 411 14
Castle *v* Sworder (1861) 6 H & N 828 10
Catesby *v* Burnett [1916] 2 Ch 325 131
Central London Electricity Co *v* Berners [1945] 1 All ER 160 108
Central Motors (Birmingham) Ltd *v* PA and SNP Wadsworth (1983) 133 NLJ 555 76
Centrebind Ltd, *Re* [1966] 3 All ER 889 110
Channel Collieries Trust Ltd *v* Dover St Margaret's and Martin Mill Light Railway Co [1914] 2 Ch 506 70
Charles *v* Charles [1977] AC 177 275
Charles & Co Ltd [1935] WN 15 129
Charrington *v* Halliwell (London) COIT 26665/83/LO 260
Charterbridge Corp Ltd *v* Lloyds Bank Ltd [1970] 1 Ch 62 155, 156, 157, 158, 201
Chida Mines Ltd *v* Anderson (1905) 22 TLR 27 75
Chidell *v* Galsworthy (1859) 6 CBNS 471 10, 13
Chief Constable of Kent *v* V & Another [1982] 3 WLR 402 117
Chinn *v* Hochstrasser, Chinn *v* Collins [1977] 1 WLR 1337 226, 227
Chissum *v* Dewes (1828) 5 Russ 29 11
Cilfoden Benefit Building Society *Re* (1868) LR 3 Ch App 462 91
Clark Taylor Ltd *v* Quality Site Developments Ltd 1981 SLT 308 160
Clarke, *Re* (1887) 36 Ch D 348 14, 15, 16, 18
Clarke *v* Imperial Gas Light and Coke Co (1832) 4 B & Ad 315 68
Cleadon Trust Ltd *Re* [1939] Ch 286 75
Clemens *v* Clemens Bros Ltd [1976] 2 All ER 268 202, 205
Clement *v* Matthews (1883) 11 QBD 808 14
Cleveland Manufacturing Co *v* Muslim Commercial Bank [1981] 2 Lloyds Rep 646 71, 74
Clough Mill Ltd *v* Martin [1984] 3 All ER 982 87, 160, 163
Coates *v* Arndale Properties Ltd [1984] 1 WLR 1328 47
Colburn *v* Dunscombe (1838) 9 Sim 151 14
Cole *v* Kernot (1872) LR 7 QB 534n 12, 16
Collins, *Re* [1925] Ch 556 15
Collyer *v* Isaacs (1881) 19 Ch D 342 14, 15, 16
Coltman *v* Chamberlain (1890) 25 QBD 328 11
Company, *Re* a [1980] Ch 138 69
Company, *Re* a (No 002567 of 1982) [1983] 1 WLR 927 85
Company, *Re* a [1983] 2 WLR 381 29, 30
Company, *Re* a [1985] BCLC 80 183
Congreve *v* Evetts (1854) 10 Exch 298 10
Cook *v* Deeks [1916] 1 AC 554 199, 201, 202
Cook Industries Inc *v* Galliher [1979] Ch 439 114
Cotman *v* Brougham [1918] AC 514 155, 158
County of Gloucester Bank *v* Rudry Merthyr Colliery [1895] 1 Ch 629 69
Craven *v* White, *The Times* (1985) 6 June 236
Cretanor Maritime Ltd *v* Irish Marine Management Ltd (1978) 1 Lloyds Rep 425 115
Crown Bank, *Re* (1890) 44 Ch D 634 40
Cuckmere Brick Co Ltd *v* Mutual Finance Ltd [1971] 2 All ER 646 161
Cullwick *v* Swindell (1866) LR 3 Eq 249 11
Curtis *v* Auber (1820) 1 Jac & W 526 13, 14

Dafen Tinplate *v* Llanelly Steel Co [1920] 2 Ch 124 204, 205
Dallow Industrial Properties Ltd *v* Else [1967] 2 QB 449 255
Dawson *v* African Consolidated Land Co [1898] 1 Ch 6 70
De Comas *v* Prost (1865) 3 Moore PC NS 158 12
De la Bere *v* Pearson Ltd [1908] 1 KB 280 216, 165
Deacon *v* Smith (1746) 3 Atk 323 13
D'Epinenil (Count), *Re* (1880) 20 Ch D 758 15
Derry *v* Peek [1889] 1 AC 337 165, 216, 250
Deutz Engines Ltd *v* Terex Ltd 1984 SLT 273 160
Dickinson *v* Bryant EAT 12 June 1985 256, 258, 261
Dominion Cotton Mills *v* Amyot [1912] AC 546 208
Donald *v* Suckling (1866) LR 1 QB 585 11
Dorling *v* Honnor Marine [1963] 2 All ER 495 186
Douglas *v* Russell (1831) 4 Sim 524 13, 14
Dublin City Distillery *v* Doherty [1914] AC 825 11, 12
Duck *v* Tower Galvanising Co [1901] 2 KB 314 69
Dufaur *v* Professional Life Assurance Co (1858) 25 Beav 599 14
Duffen *v* Fuzzard EAT 352/83 255
Dunford *v* Johnson & Firth Brown Ltd [1977] 1 Lloyds Rep 505 174
Dunlop Holdings Ltd *v* Staravia [1982] Com LR 3 113

Duomatic Ltd, *Re* [1969] 2 Ch 365 76
Durham Brothers *v* Robertson [1898] 1 QB 765 10
Dyes *v* Wood [1911] 1 KB 806 108

Earle (G & T) Ltd *v* Hemsworth RDC (1928) 140 LT 69 10
Ebeed *v* Soplex Wholesale Supplies FT Com LR (1984) 11 December 74
Ebrahimi *v* Westbourne Galleries Ltd [1973] AC 360 40, 193, 205
Edgington *v* Fitzmaurice (1885) 29 ChD 459 74
Eley *v* Positive Life Assurance (1876) 1 ExD 88 283
Ellett *v* Sternberg (1910) 27 TLR 127 70
Ellis *v* Glover and Hobson Ltd [1908] 1 KB 388 11
Ellison *v* R & J Pullman (Retail) Ltd; Same *v* Ashlindon Ltd COIT 10988/84 256, 258
Elmore *v* Stone (1809) 1 Taunt 458 10
Emanuel *v* Emanuel [1982] 1 WLR 669 114
Emerald Stainless Steel Ltd *v* South Side Distribution Ltd 1983 SLT 162 160
England *v* Downs (1842) 6 Bear 269 11
English Sewing Cotton Co Ltd *v* IRC [1947] 1 All ER 679 228
Ernest *v* Nicholls (1857) 6 HL Cas 401 69
Erven Warninck *v* Townend [1979] AC 731 135
Essendon Engineering Co Ltd *v* Maile [1982] Crim L Rev 510 68
Esso Petroleum *v* Marden [1976] 2 All ER 5 165, 166, 169, 170
Estmanco (Kilner House) Ltd *v* Greater London Council [1982] 1 WLR 2 199, 203, 206, 208
European Central Railway Co, *Re* (1869) LR 8 Eq 439 40
Evans *v* Rival Granite Quarries Ltd [1910] 2 KB 979 21
Evans (C) & Sons Ltd *v* Spritebrand Ltd (1985) 1 BCC 99, 316 180
Exchange Securities & Commodities Ltd, *Re* [1983] BCLC 186 264
Extraktionstechnik Gesellschaft for Anlagenbau MBH *v* Oskar, *Financial Times*, (1984) 23 March 188

Fairweather *v* Gadhvi (1983) unreported 258
Faith Panton Property Plan Ltd *v* Hodgetts [1981] 1 WLR 927 115
Farina *v* Home (1846) 16 M & W 119 12
Federal Commerce *v* Molena Alpha [1979] AC 757 224
Fildes Brothers, *Re* [1970] 1 WLR 593 27, 40
Fine *v* Powling [1954] 71 RPC 262 218
Fitzroy *v* Cave [1905] 2 KB 364 10
Florence Land and Public Works Co, *ex p* Moor (1878) 10 Ch D 350 17
Flower *v* Buller (1880) 15 Ch D 665 15
Ford & Carter Ltd *v* Midland Bank (1979) 129 NLJ 543 75
Ford Motor Credit Co Ltd *v* Harmack *The Times* (1972) 6 July 75
Foss *v* Harbottle (1843) 2 Hare 461 37, 159, 203, 284
Foster, *Re* (1985) 129 SJ 333 225
Foster *v* Greenwich Ferry (1889) 5 TLR 16 131
Francome *v* Mirror Group Newspapers Ltd [1984] 2 All ER 408 90
Franklyn, *Re* (1913) 30 TLR 187 215
Fraser *v* London Sports Car Centre Ltd (1984) STI 718 46–7
Fraser *v* Whalley (1864) 2 Hem and M 10 132
Freeman & Lockyer *v* Buckhurst Park Properties (Mangal) Ltd [1964] 2 QB 480 71, 73, 75, 76, 182
Furniss *v* Dawson [1984] AC 474 47

Galaxia Maritime SA *v* Mineralimportexport [1982] 1 WLR 539 115
Gale *v* Laurie (1826) 5 B & C 156 11
Garden Cottage Food Ltd *v* Milk Marketing Board [1983] 2 All ER 770 187
Gaussen *v* Morton (1830) 10 B & C 731 12
Gee *v* British Broadcasting Corporation & Others *The Times* (1984) 26 November 133
German Date Coffee Co, *Re* (1882) 20 Ch D 169 143
Gething *v* Kilner [1972] 1 WLR 337 219
Gibson *v* Barton (1875) LR 10 QB 329 69
Gilbertson & Co *v* Anderson and Coltman Ltd (1901) 18 TLR 224 11
Gill *v* Downing (1874) LR 17 Eq 316 14
Gillies *v* Craigton Garage Co 1935 SC 423 68, 69
Gillotts Settlement, *Re* [1934] 1 Ch 97 15
Glyn *v* Hood (1860) 1 De GF & J 690 14
Goffe & Carkener Inc, *Re* 32 Agric Dec 1643 (1973) 26
Golding (Insp of Taxes) *v* Kaufman [1984] STC 799 14
Goricree Ltd *v* Jenkinson [1984] IRLR 391 26
Gorman (Siebe) & Co Ltd *v* Barclays Bank Ltd [1979] 2 Lloyds Rep 142 8
Gorringe *v* Irwell India Rubber and Gutta Percha Works Ltd (1886) 34 Ch D 128 1
Gough *v* Wood & Co [1894] 1 QB 713 1
Gouriet *v* Union of Post Office Workers [1978] AC 435 11
Gower's Case, *Re* London & Provincial Starch Co (1875) 1 Ch D 182 24
Grant *v* UK Switchback Rys (1888) 40 Ch D 135 75, 20
Grantham *v* Hawley (1616) Hobart 132 1
Great Western Railway Co *v* Rushout (1852) 5 de G and Sm 290 13
Greenhalgh *v* Arderne Cinemas [1951] 1 Ch 286 158, 203, 205, 20
Grierson, Oldham & Adams, *Re* [1968] Ch 17 13
Grimwade *v* BPS Syndicate (1916) 31 TLR 531 13
Grosvenor Press plc, *Re Financial Times*, (1985) 3 April 22
Gurnell *v* Gardner (1863) 4 Giff 626 1

Hackney Pavilion, *Re* [1924] 1 Ch 276 4
Hall *v* Burrows (1863) 4 De GJ & Sm 150 1
Hallas *v* Robinson (1885) 15 QBD 288 10, 1
Halliday *v* Holgate (1868) LR 3 Exch 299 1
Halt Garage (1964) Ltd, *Re* [1982] 3 All ER 1016 76, 155, 156, 157, 159, 20
Hancock *v* Smith (1889) 41 Ch D 456 21
Hankey *v* Vernon (1788) 2 Cox 12 1
Hansford *v* W Mumford Ltd; Same *v* Graham Evans COIT 16015/83 25
Harbottle (RD) (Mercantile) Ltd *v* National Westminster Bank Ltd [1977] 3 WLR 752 11
Hargrave *v* Tindal (1753) 1 Bro CC 136n 1
Harmer (HR) Ltd, *Re* [1969] 1 WLR 62 208, 237, 23
Harris *v* Harris (A) Ltd 1936 SC 183 20
Harrold *v* Plenty [1901] 2 Ch 314 1
Hayes *v* Bristol Plant Hire [1957] 1 All ER 688 3
Hedley Byrne & Co Ltd *v* Heller & Partners Ltd [1964] AC 465 165, 169–171, 216, 25
Hely-Hutchinson *v* Brayhead [1968] 1 QB 549 69, 7
Henderson *v* Bank of Australasia (1888) 40 Ch D 170 15
Hendy Lennox (Industrial Engines) Ltd *v* Graham Puttick Ltd [1984] 1 WLR 485 16
Henry *v* Hammond [1913] 2 KB 515 3
Herlakenden's Case (1589) 4 Co Rep 62a 1
Hickman *v* Kent or Romney Marsh Sheepbreeders' Association [1915] 1 Ch 881 28
Highfield Commodities Ltd, *Re* [1984] 3 All ER 884 9
Hill *v* Nash (1845) 1 Ph 594 24
Hill *v* Tupper (1863) 2 H & C 121 1
Hill (W) & Son *v* Tannerhill (1944) KB 472 24
Hilton *v* Tucker (1888) 39 Ch D 669 1
Hitchman *v* Walton (1838) 4 M & W 409 1
Hoare & Co, *Re* (1933) 150 LT 374 13
Hobson *v* Trevor (1723) 2 P Wms 191 13, 1
Hockley *v* Bantock (1826) 1 Russ 141 1
Hoffman-La Roche & Co AG *v* Sec of State for Trade and Industry [1974] 2 All ER 1128 9
Hogg *v* Cramphorn Ltd [1967] Ch 254 20
Holland *v* Hodgson (1872) LR 7 CP 328 1
Hollister *v* NFU [1979] ICR 542 25
Holroyd *v* Marshall (1862) 10 HLC 191 14, 15, 1
Hope *v* Haley (1856) 5 E & B 830 1
Horizon Pacific Ltd, *Re* (1983) 7 ACLR 495 7
Horsley and Weight Ltd, *Re* [1982] Ch 442 155, 15
Houghton & Co *v* Nothard, Lowe and Wills Ltd [1928] AC 1 70, 71, 75, 181, 18
Houldsworth *v* City of Glasgow Bank (1880) 5 App Cas 317 23
Howard *v* Patent Ivory Manufacturing Co (1888) 38 Ch D 156 15
Howard (MF) & Sons Ltd (Liquidators of) *v* Goode (1983) FT Com LR 30 7

Hutton *v* West Cork Railway (1883) 23 Ch D 654 155, 201, 202

Illingworth *v* Houldsworth [1904] AC 355 86
IRC *v* Clydebridge [1980] STC 68 140
IRC *v* Ufitec Ltd [1977] 3 All ER 924 71
Intercontinental Trust Co *v* Barclays Bank [1980] 1 Lloyds Rep 241 75
International Sales and Agencies Ltd *v* Marcus [1982] 3 All ER 551 76, 155, 156, 159
Introductions Ltd *v* National Provincial Bank Ltd [1970] Ch 199 155, 156, 157, 159
Iraqi Ministry of Defence *v* Arcepey Shipping, The Angel Bell (1981) QB 65 49
Irvine *v* Union Bank of Australia [1877] 2 App Cas 366 69, 199, 200
Irving *v* Tesco Stores (Holdings) Ltd [1982] STC 881 226
Island Records Ltd, *ex p* [1978] Ch 122 114

James *v* Ellis (1871) 19 WR 319 14
Jarvis *v* May, Davies, Smith, Vandervell & Co [1936] 1 KB 399 169
Jean Goldwurn, *Re* 7 Agric Dec 265 (1948) 266
Jermyn Street Turkish Baths Ltd [1971] 1 WLR 1042 237
John Wilkes (Footwear) Ltd *v* Lee International (Footwear) Ltd (1985) 1 BCC 99, 452 277
Johnson *v* L & A Philatelics Ltd [1981] FSR 286 115
Jones, *ex p* Nichols, *Re* (1883) 22 Ch D 782 15
Joseph *v* Lyons (1884) 15 QBD 280 14
Junior Books *v* Veitchi [1983] AC 520 85, 169

Keech *v* Sandford (1926) Sel Cas Ch 61 201
Keith *v* Burrows (1877) 2 App Cas 636 11
Kelcey, Tyson *v* Kelcey, *Re* [1899] 2 Ch 530 15
Kelner *v* Baxter (1866) LR 2 CP 174 75
Kendall *v* Lillico [1969] 2 AC 31 168
Kent and Sussex Saw Mills Ltd, *Re* [1947] Ch 177 224
Kerr's Policy, *Re* (1869) LR 8 EQ 331 14
Kerry *v* Maori Dream Gold Mines Ltd (1898) 14 TLR 402 208
Keys *v* Williams (1838) 3 Y & C Exch 55 13
Kleinwort Sons & Co *v* Associated Machine Corp (1934) 50 TLR 244 75
Knight *v* Buckley (1858) 4 Jur NS 527 12
Kreditbank Cassel GmbH *v* Schenkers Ltd [1927] 1 KB 826 69
Kyshe *v* Alturas Gold (1888) 4 TLR 331 131

Lampet's Case (1613) 10 Co Rep 466, 48a 10
Langton *v* Horton (1842) 1 Hare 549 14
Langton *v* Waite (1868) LR 6 Eq 165 10
Latchan *v* Martin (1984) 134 NLJ 745 84
Lazams *v* Andrade (1880) 5 QBD 318 14, 18
Leatham *v* Amor (1878) 47 LJQB 581 12
Lee *v* Chon Wen Hsien [1984] 1 WLR 1202 37
Lee *v* Hsien [1984] 1 WLR 1202 131
Lee Behrens & Co, *Re* [1932] 2 Ch 46 155, 201
Legard *v* Hodges (1792) 1 Ves Jun 477 13
Lennox (Hendy) *v* Puttick (Grahame) Ltd [1984] 1 WLR 485 88
Lepard *v* Vernon (1813) 2 Ves & B 51 12
Liggett (B) (Liverpool) Ltd *v* Barclays Bank [1928] 1 KB 48 69
Limako BV *v* Hentz & Co Inc [1978] 2 Lloyd's Rep 400 262
Lind Industrials Finance Syndicate Ltd *v* Lind [1915] 2 Ch 345 16, 17
Lister *v* Turner (1846) 5 Hare 281 13
Lloyd (FH) Holdings plc, *Re The Times* (1985) 9 April 184, 185
Lloyds Bank Ltd *v* Bank of America National Trust and Savings Association [1938] 2 KB 147 12
Lloyds Bank Ltd *v* Bundy [1975] QB 340 218
Loch *v* John Blackwood [1924] AC 783 29
Lochgelly Iron & Coal Co *v* McMullan [1934] AC 1 174
Longbottom *v* Berry (1869) LR 5 QB 123 11
Lucas *v* Comerford (1790) 1 Ves Jun 235 13
Lundie Bros, *Re* [1965] 1 WLR 1051 40
Lunn *v* Thornton (1845) 1 CB 379 10

Lyde *v* Mynn (1831) 4 Sim 505 13, 14, 16, 17
Lyle & Scott Ltd *v* British Investment Trust Ltd 1975 SLT (N) 26 147

McGrath *v* Rank Leisure Ltd [1985] IRLR 323 260
Mace Builders (Glasgow) Ltd *v* Lunn [1985] BCLC 154 230–231
Mahoney *v* East Holyford Mining Co (1875) LR 7 HL 869 69
Mair *v* Wood 1948 SLT 326 85
Mareva Compania Naviera SA *v* International Bulkcarriers [1980] 1 All ER 213 50, 114
Martin *v* Glynwed Distribution Ltd [1983] ICR 511 258
Martin *v* Read (1862) 11 CBNS 730 11, 12
Mason *v* Harris (1879) 11 Ch D 97 200
Mather *v* Fraser (1856) 2 K & J 536 11
Matthews *v* Gooday (1861) 31 LJ Ch 282 13
May and Hassell (West) *v* Jansen EAT 526/83 258
Meikle *v* McPhail (Charleston Arms) [1983] IRLR 431 258
Melon *v* Hector Powe Ltd [1981] ICR 43 255
Menier *v* Hooper's Telegraph Works (1874) LR 9 Ch App 350 202, 208
Mercantile Bank of India *v* Chartered Bank of India, Australia and China [1937] 1 All ER 231 74, 231
Mercantile Credit Co *v* Garrod [1962] 3 All ER 1103 74
Merrill Lynch Futures Inc *v* York House Trading Ltd, *The Times* (1984) 24 May 263
Metcalfe *v* Archbishop of York (1835) 1 My & Cr 547 16
Menx *v* Jacobs (1875) LR 7 HL 481 11
M'Ewan (William) & Sons *v* Smith (1849) 2 HLC 309 12
Meyer *v* Scottish Textile and Manufacturing Co Ltd 1954 SC 381 205
Meyer *v* Scottish Wholesale Co-operative 1958 SC 40 147
Midland Foot Centre *v* Moppett [1973] ICR 219 260
Miliangos *v* George Frank [1976] AC 443 50
Mineworkers Pension Scheme Trusts, *Re The Times* (1984) 18 April 5
Minster Assets plc, *Re* (1985) 1 BCC 99, 299 130
Montague *v* Earl of Sandwich (1886) 32 Ch D 525 13
Moochie *v* Sheperd [1949] 2 All ER 1044 40
Morris *v* Kanssen [1946] AC 459 69, 70
Morritt, *ex p* Official Receiver, *Re* (1886) 18 QBD 222 11
Moss SS Co Ltd *v* Whinney [1912] AC 254 108
Multinational Gas *v* Multinational Gas Services Ltd [1983] 3 WLR 492 208
Munster *v* Cammell Co (1882) 21 Ch D 183 131
Mutual Life and Citizen's Assurance Co Ltd *v* Evatt [1969] 1 Lloyds Rep 535 169
Mutual Life Insurance Co of New York *v* Rank Organisation Ltd Ch D 21 December 1981 208

National Provincial and Union Bank of England *v* Charnley [1924] 1 KB 431 88
National Provincial Bank of England *v* United Electric Theatres Ltd [1916] 1 Ch 132 18
Neal, *Re* [1914] 2 KB 910 14, 15
Newlands *v* National Employer's Accident Association (1885) 54 LJQB 428 75
Newton *v* Bennet (1782) 1 Bro CC 135 13
Nicoll *v* Cutts *The Times* (1985) 20 May 185, 281
Nippon Yusen Kaisha *v* Karageorgis [1975] 3 All ER 282 50
Noble Lowndese & Partners *v* Hadfields (1939) Ch 569 241
Nocton *v* Ashburton (Lord) [1914] AC 932 216, 217, 218
Nokes *v* Doncaster Amalgamated Collieries [1940] AC 1014 255
North London Railway *v* Great Northern Railway (1883) 11 QBD 30 49
North West Leics DC *v* East Midlands Housing Association [1981] 1 WLR 1396 68
North West Transportation Co *v* Beatty [1887] 12 AC 589 199, 200, 206
North Western Bank *v* Poynter [1895] AC 56 11
Northern Counties Securities Ltd *v* Jackson and Steeple Ltd [1974] 1 WLR 1133 199, 202
Nye (CL) Ltd, *Re* [1971] Ch 442 88

Official Assignee of Madras *v* Mercantile Bank of India Ltd [1935] AC 53 12
Oriel Ltd, *Re* [1984] BCLC 241 187
Owen (Edward) *v* Barclays Bank [1978] 1 All ER 976 84
Owton Fens Properties Ltd *v* Redden (1984) ST1 718 46–47

Page *v* Fern (1881) 6 QBD 620 18
Palmer (Stanley) Ltd, *Re* (1984) 1 BCC 99, 226 86
Pambakian *v* Brentford Nylons Ltd [1978] ICR 665 259
Panama, New Zealand and Australian Royal Mail Co, *Re* (1870) 5 Ch App 318 17
Panhard et lavassor *v* Panhard Motor Co [1901] 18 RPC 405 135
Pancrama Developments *v* Fidelis Furnishing [1971] 2 QB 711 75
Parke *v* Daily News Ltd [1962] Ch 927 155, 201, 202
Parkes Garage (Swadlincote) Ltd [1929] 1 Ch 139 231
Parkside Leasing Ltd *v* Smith *The Times* (1984) 19 November 47
Parsons *v* Sovereign Bank of Canada [1913] AC 160 15, 108
Patent File Co, *ex p* Birmingham Banking Co, *Re* (1870) 6 Ch App 83 9
Pauls Federated Merchants Ltd, *Re unreported*, 30 July 1976 40
Pavlides *v* Jensen [1956] Ch 565 200, 202
Payne *v* Fern (1818) 6 QBD 620 14
Payne (David) Ltd, *Re* [1904] Ch 608 157, 158
Payne (Insp of Taxes) *v* Barratt Developments (Luton) Ltd [1984] STC 800 140
Peachdart Ltd, *Re* [1983] 3 All ER 204 18, 160
Pearlberg *v* Varty [1972] 1 WLR 534 140
Peek *v* Gurney (1873) LR 6 HL 377 247, 249
Pender *v* Lushington (1877) 6 Ch D 206, 208, 284
Percival *v* Wright [1902] 2 Ch 421 218
Phillips *v* Manufacturer's Securities Ltd (1917) 116 LJ 290 199, 203
Phonogram Ltd *v* Lane [1981] 3 WLR 736 68
Pothonier *v* Dawson (1816) Holt NP 383 11
Potger *v* Potger (1971) 55 Cr App R 42 276
Potton Homes Ltd *v* Coleman Contractors (Overseas) Ltd *The Times*, (1984) 28 February 230
Premier Motors (Medway) Ltd *v* Total Oil GB Ltd [1984] ICR 58 255, 256
Printing and Numerical Registering Co *v* Sampson (1875) LR 19 Eq 462 14, 18
Prudential Assurance *v* Newman Industries (No 2) [1982] Ch 407 38, 200
Pulbrook *v* Richmond Consolidated Mining Co (1879) 9 Ch D 610 38
Pye *v* Danbuz (1792) 3 Bro CC 465 13

Quin & Axtens Ltd *v* Salmon [1909] AC 442 38

R *v* Bates [1952] 2 All ER 842 275
R *v* Bishirgian [1936] 1 All ER 586 267
R *v* Corbin (1984) 6 Cr App R (S) 17 183
R *v* Cuthbertson [1980] 2 All ER 401 118
R *v* de Berenger (1814) 3 M & S 67 267
R *v* IRC, *ex p* Preston [1985] 2 WLR 836 235
R *v* Kylsant [1932] 1 KB 442 275
R *v* Lawson [1905] 1 KB 541 69
R *v* Menocal [1979] 2 All ER 510 118
R *v* Register of Companies, *ex p* Esal (Commodities) Ltd *The Times* (1984) 23 November 88
R *v* Ribeyre [1982] Crim LR 538 118
R *v* Shacter [1960] 2 QB 252 275
R *v* Truth [1980] Crim LR 249 118
Radio Corporation of America *v* Pollard [1982] 2 All ER 469 114
Rama Corp Ltd *v* Proved Tin Investments [1952] 2 QB 147 70, 71, 74, 182
Rank Film Distributors Ltd *v* Video Information Centre [1981] 2 All ER 76 114
Ravenshaw *v* Hollier (1834) 7 Sim 3 13
Rayfield *v* Hands [1960] Ch 1 283
Red Rock Mining Co, *Re* (1888) GL LT 785 40
Redmayne *v* Foster (1866) LR 2 Eq 467 14
Reeve *v* Whitmore (1863) 33 LJ Ch 63 12, 13, 14
Reeves *v* Capper (1838) 5 Bing NC 136 12
Regal (Hastings) Ltd *v* Gulliver [1942] 1 All ER 378 119, 201
Reid *v* Explosives Company (1887) 19 QBD 264 185
Reis, *ex p* Clough, *Re* [1904] 2 KB 769 15
Resinoid & Mica Products Ltd, *Re* [1983] 3 WLR 979 89
Reuter *v* Electric Telegraph Co (1856) 6 E & B 341 75
Richardson *v* Worrall *The Times* (1985) 12 June 236
Ridout *v* Dowding (1737) 1 Atk 419 13
Robertson *v* Quiddington (1860) 28 Beav 446 11
Robinson *v* Macdonnell (1816) 5 M & S 228 10
Robinson *v* Pickering (1880–81) 16 Ch 660 48
Roith (W & M) Ltd, *Re* [1967] 1 WLR 432 155, 200
Rolled Steel Products (Holdings) Ltd *v* British Steel Corporation and Others [1982] Ch 442 69, 74, 76, 155–160, 200–202
Rolls Royce Ltd, *Re* [1974] 3 All ER 646 111
Romalpa [1976] 2 All ER 552 38, 39
Ross *v* Caunters [1977] Ch 297 169, 216
Royal British Bank *v* Turquand (1856) 6 E & B 327 68, 157, 160, 181–183
Ruben *v* Great Fingall Consolidated [1906] AC 439 69, 75
Rudd & Son *Re* [1984] Ch 237 85
Russel *v* Russel (1783) 1 Bro CC 269 13
Rutter *v* Everett [1895] 2 Ch 872 14, 15
Ryall *v* Rolle (1749) 1 Atk 165 11

SNW Commodities *v* Falik [1984] 2 Lloyd's Rep 224 262, 266
Saddler *v* Whiteman (1910) 1 KB 889 240, 241
Saint Piran Ltd, *Re* [1981] 1 WLR 1300 174
Salomon *v* Salomon & Co Ltd [1897] AC 22 75
Sampson *v* Paltison (1842) 1 Hare 533 14
Sanderson & Levi *v* The British Westralian Mines and Share Corpn [1892] 2 QB 724 267
Schweder *v* Walton (1910) 27 TLR 89 165, 170
Scotmotors (Plant Hire) Ltd *v* Dundee Petrosea Ltd 1982 SLT 443 74
Scottish Co-operative Wholesale Society Ltd *v* Meyer [1959] AC 324 192
Scraptrade, The [1983] 2 All ER 763 93
Sec of State for Defence *v* Guardian Newspapers Ltd [1948] 1 All ER 453 89
Sec of State for Employment *v* Anchor Hotel (Kippford) Ltd (1985) IRLIB 287 256, 261
Scottish Co-operative Wholesale Society *v* Meyer [1959] AC 324 23
Sega Enterprises *v* Richards [1983] FSR 72 92
Seligman (Robert) *v* Baker [1983] ICR 770 260
Sewell *v* Burdick (1884) 10 App Cas 74 12
Shanley Contracting Ltd, *Re* (1980) 77 LSG 319 76
Sharp (Jonas) & Son *v* Lloyd's Bank (1932) 4 Legal Decisions Affecting Bankers 348 75
Shuttleworth *v* Cox Bros & Co [1927] 2 KB 9 204
Sidebottom *v* Kershaw, Leese & Co [1920] 1 Ch 154 203, 204, 205, 207
Siebe Gorman and Co Ltd *v* Barclays Bank Ltd [1979] 2 Lloyd's Rep 142 18, 19, 163
Sinnott *v* Cleveland (1983) unreported 258
Siskina *v* Distos Compania Naviera [1979] AC 210 50, 115
Skilling *v* Reed COIT 26417 260
Skipp *v* DJ Catering (1983) unreported 259
Slade *v* Rigg (1843) 3 Hare 35 14
Slavenburg's Bank *v* Intercontinental Natural Resources Ltd [1980] 1 WLR 1076 188
Slingsby *v* District Bank Ltd [1931] 2 KB 588 75
Smith *v* Everett (1859) 27 Beav 446 11
Smith *v* Hull Glass Co (1852) 11 CB 897 68, 75
Smith *v* Sanders (1848) 5 CB 897 12
Smith (Howard) *v* Ampol [1974] AC 821 184
Smith Kline and French *v* Sterling Winthrop [1976] RPC 511 136
Sony Corporation *v* Anand [1981] Com LR 55 114

South London Greyhound Racecourses *v* Wake [1931] Ch 496 69
Spooner *v* Sandilands (1842) 1 Y & CCC 390 13, 16
Sport International Bussum BV *v* Inter-Footwear Ltd [1984] 2 All ER 321 92, 93
Stafford *v* Conti Commodity Services Ltd [1981] 1 All ER 691 169 171, 219, 263
Standard Chartered Bank *v* Walker [1982] 3 All ER 938 84
State of Wyoming Syndicate, *Re* [1901] 2 Ch 431 75
Stipplechoice Ltd, *ex p The Times* (1985) 23 January 140
Strachan, *Re* (1876) 4 Ch D 123 215
Stubbs *v* Slater [1910] 1 Ch 632 14
Swaledale Cleaners, *Re* [1968] 1 WLR 1710 40
Sweet *v* Cater (1841) 11 Sim 572 14
Syers *v* Syers (1875) 1 App Cas 174 85
Syrett *v* Egerton [1957] 3 All ER 331 15

Tahiti Cotton Co *ex p* Sargent, *Re* (1874) LR 17 Eq 273 14
Tailby *v* Official Receiver (1888) 13 App Cas 523 14, 15, 16, 19
Tancred *v* Delagoa Bay and East Africa Railway Co (1889) 23 QBD 239 10
Tate *v* Williamson (1866) LR 2 Ch App 55 218
Taylor *v* Plumer (1815) 3 M & S 562 215
Thomas *v* Jenks COIT 1364/41 259
Thompson *v* Cohen (1872) LR 7 QB 527 12, 17
Thomson *v* Barke (J) and Co (Caterers) Ltd 1975 SLT 67 155, 156, 158, 159
Thrustcode *v* WW Computing [1983] FSR 502 92
Tolhurst *v* Associated Portland Cement Manufacturers (1900) Ltd [1903] AC 414 10
Transport Ltd *v* Schonberg (1905) 21 TLR 305 70
Trendtex Trading Corporation *v* The Central Bank of Nigeria [1977] 1 All ER 881 177
Turcan, *Re* (1888) 40 Ch D 5 14
Turquand's Case (1856) 6 E & B 327 69, 70
Tyne Mutual Steamship Insurance Association *v* Brown (1896) 74 LT 283 70

Universal City Studio Inc *v* Mukhtar & Sons Ltd [1976] 1 WLR 568 114
Uxbridge Permanent Building Society *v* Pickard [1939] 2 KB 248 75

Video Meliora Ltd, *Re* (1985) unreported 21

Walker *v* Bradford Old Bank Ltd (1884) 12 QBD 511 10
Walker *v* Clay (1884) 15 QBD 280 18
Wallis & Simmonds (Builders) Ltd *Re* [1974] 1 All ER 561 187
Walmsley *v* Milne (1859) 7 CBNS 115 11
Walsh *v* Whitcomb (1797) 2 Esp 565 12
Water *v* Waters [1984] R 503 278
Watson *v* Duff, Morgan & Vermont Holdings Ltd [1974] 1 WLR 450 129
Watson *v* King (1815) 4 Camp 272 12
Wayne *v* Hanhan (1851) 9 Hare 62 14
Weir Pumps Ltd *v* CML Pumps Ltd [1984] FSR 33 00
Welsh Irish Ferries Ltd (1985) FT Com LR 5 June 224
Welton *v* Saffrey [1897] AC 299 283
West Mercia Constabulary *v* Wagener [1982] 1 WLR 127 117
Westbourne Galleries Ltd, *Re* [1973] AC 360 29, 32
Westerton, Public Trustee *v* Gray, *Re* [1919] 2 Ch 104 10
Westminster Property Group, *Re* (1985) 1 BCC 99, 355 184
Whetham *v* Davey (1885) 30 Ch D 574 14
Whitchurch (George) *v* Cavanagh [1902] AC 117 75
White Horse Distillers *v* Gregson Associates Ltd [1984] RPC 61 181
Whitehouse *v* Jordan [1981] 1 All ER 267 166, 171
Whitfield *v* Fausset (1750) Ivessen 387 14
Whitworth *v* Gaugain (1846) 1 Ph 728 13, 14
Whyte (GT) & Co Ltd, *Re* [1983] BCLC 311 9
Whyte Petitioner 1984 SLT 330 147
Wilcocks *v* Wilcocks (1706) 2 Vern 558 13
William C Leitch Brothers Ltd (No 2) *Re* [1933] Ch 261 58
Williams *v* Compair Maxam [1982] ICR 156 258, 259
Wills, *ex p* (1790) 1 Ves Jun 162 13
Wilmot *v* Alton [1897] 1 QB 17 15
Wood and Foster's Case (1586) 1 Leon 42 10
Wood Preservation Ltd *v* Prior [1968] 2 All ER 849 227, 228
Woodhouse *v* Peter Brotherhood Ltd [1972] ICR 185 255
Woodroffes (Musical Instruments) Ltd, *Re* [1985] 3 WLR 543 277
Woods *v* Martins Bank Ltd [1959] 1 QB 55 165
Wright *v* Wright (1749) 1 Ves Sen 409 13, 14

Yoland Husson & Birkett *Re* [1908] Ch 152 88
Yorkshire Woolcombers Association Ltd, *Re* [1903] 2 Ch 284 17, 18, 19, 86
Young *v* Lambert (1870) LR 3 PC 142 12
Yousif *v* Salama [1980] 3 All ER 405 114

Z *v* A [1982] 1 All ER 556 50
Zim Properties Ltd *v* Proctor *The Times* (1984) 19 November 47
Zinotty, *Re* (1984) BCLC 139 39

Australia

Albert Gardens (Manly) Pty Ltd *v* Mercantile Credits Ltd (1973) 131 CLR 60 69, 70
Australian Fixed Trusts Pty Ltd *v* Clyde Industries Ltd [1959] SR (NSW) 33 207
Bonds and Securities (Trading) (Pty) Ltd *v* Clomex Mines NL [1971] 1 NSWLR 879 226
Brentwood Village Ltd *v* Corporate Affairs Commission (1983) 1 ACLC 1,006 238
Bridges *v* Hershon (1968) 3 NSWR 47 238
Bright Pine Mills, *Re* [1969] VR 1002 26
Chief Commissioner of Pay-roll Tax *v* Group Four Industries (1984) CCH ACLC 454 238
Crabtree-Vickers Pty Ltd *v* Australian Direct Mail Advertising & Addressing Company Pty Ltd (1975) 133 CLR 72 72, 74
Gericevich Contracting Pty Ltd (in liq) (1984) CCH ACLC 63 191
Grant *v* John Grant & Sons Pty Ltd (1950) 82 CLR 1 70
Jeffery (Mens Store) Pty Ltd, *Re* (1984) CCH CLC 421 237
Luckins *v* Highway Motel Pty Ltd (1975) 133 CLR 164 187
McPherson (1977) SI ALJ 460 200, 201
Mills *v* Mills (1938) 60 CLR 164 206
Ngurli *v* McCann (1953) 90 CLR 425 208
Padstow Assurance Association, *Re* (1982) 51 LH Ch 344 238
Peters' American Delicacy Co Ltd *v* Heath (1939) 61 CLR 457 206, 283
Riley McKay *v* McKay (1982) 1 NSWLR 264 50
Row Dal Construction Pty Ltd, *Re* [1966] VR 249 231
SEC *v* Certain Unknown Purchasers of the Common Stock of, and Call Options for the Common Stock of Santa Fe International Corporation 81 Civ 6553 (SDNY 1981) 95
Spicer (AM) & Son Pty Ltd *v* Spicer (1931) 47 CLR 151 70
Stein *v* Saywell [1969] 129 CLR 529 278
Theseus Exploration NL *v* Mining and Associated Industries Ltd [1973] Qd R 81 208
Thomas *v* Thomas (HW) Ltd (1984) 2 ACLC 610 193
Tivoli Investments Pty Ltd, *Re* (1972) VR 445 237
Turner *v* Sylvester (1981) NSWLR 295 49
Winthropp Investments Ltd *v* Winns Ltd [1975] 2 NSWLR 666 208

Canada

Bank of Montreal *v* Nichol Construction Co Ltd (1981) 121 DLR 3d 230 75
Calgary Hardwood Ltd *v* Canadian National Railway Co (1979) 100 DLR 3d 302 71
Canadian Laboratory Supplies *v* Englehard Industries of Canada (1979) DLR 3d 1 71
Deacon (RH) Co Ltd *v* Varga (1972) 30 DLR (3d) 653 217
Evans, Coleman and Evans Ltd *v* Nelson (RA) Construction Ltd (1958) 16 DLR 2d 123 20

Hazelwood *v* West Coast Securities (1975) 49 DLR 3d 46 75
Jensen *v* South Trail Mobile Ltd (1972) 28 DLR 3d 233 71
McEachen (WN) & Sons Ltd *Re* [1933] 2 DLR 558 69
McKnight Const Co *v* Vansikler (1915) 24 DLR 298 69
Mason (1978) 41 MLR 161 200
Midland-Oster Securities Ltd *v* Mackay 217
Ontario Marble Co *v* Creative Memorials (1964) 45 DLR 2d 244 74
Robin Hood Flour Mills Ltd *v* Fuller Bakeries Ltd (1963) 40 DLR 2d 207 20
Rockland Industries Inc *v* Amerada Minerals Corp of Canada (1980) 108 DLR 3d 513 71
Rumford Holdings Ltd, *Re* (1979) 100 DLR 3d 700 69
Swec *v* Biamonte (1978) 83 DLR 3d 435 85
Walton *v* Bank of Nova Scotia (1966) 52 DLR 2d 506 75

Eire
Armagh Shoes Ltd, *Re* [1982] NI 59 20, 86, 87
Keenan Brothers Ltd, *Re* (1984) 2 Irish Law Times 205 20
Kilgobbin Mink Farm *v* National Credit Co [1980] IR 175 75
Lakeglen Construction Ltd, Kelly *v* James McMahon Ltd, *Re* [1980] IR 347 20
Prescott Meat Co *v* Northern Bank Ltd [1981] NI 150 74
Ulster Investment Bank *v* Euro Estates Ltd [1982] IRLM 57 69
Welch *v* Bowmaker (Ireland) Ltd [1980] IR 251 18

Europe
Amministrazione delle Finanze dello Stato *v* Denkavit Italiana [1980] ECR 1205 253, 254
Amministrazione della Finanze dello Stato *v* San Giorgio [1983] ECR 3595 253
Deutsche Grammophon (1971) 10 CMLR 631 187

Germany
Philippine Republic Case (1977) 46 B Verge GE 342 178

India
Hokanson *v* Oatman 131 NW 111 (1911) 172

Kenya
Nterekeiva Bus Service *v* Republic of Kenya (1966) (1) ALR Comm 452 241

Malaysia
Singapore Art Trend *v* Blue Dolphin (1983) 1 MLJ 25 50
Zainal Abidin bin Haji Abdul Rahman *v* Century Hotel (1982) 1 MLJ 26 50

Nigeria
Adeshina *v* Federal Public Trustee, Ojikutu & Others (1972) (2) ALR Comm 1 240
African Continental Bank *v* Aboud (1971) (2) ALR Comm 52 241
At Your Service Ltd *v* Fine Agencies Organisation (1974) NCLR 503 239, 240
Automobile Association of Nigeria *v* Registrar of Business Names (1968) (2) ALR Comm 432 239
Fairlakes Hotel Co Ltd *v* Registrar of Companies & Others (1983) *The Guardian* (Nigerian) 27 November 146, 236
Italcomm Ltd *v* Lababedi (t/a Labebedi & Co) (1969) NCLR 35 240, 241
Kehinde *v* Registrar of Companies [1979] 3 LRN 213 146
Maki *v* Saidi (1961) 1 All NLR 502 240
National Bank of Nigeria Ltd *v* Bello (1969) (3) ALR Comm 156 240
Nwosu *v* Chima (1966) NNLR 155 241
Okechukwu (t/a Okechukwu & Sons Trading Stores) *v* Ndah (1967) NCLR 351 239

New Zealand
Broadlands Finance Ltd *v* Gisborne Aero Club [1975] 2 NZLR 496 69, 72
Coleman *v* Myers (1977) 2 NZLR 225 218
Hunt *v* BP Exploration (1980) 1 NZLR 104 50
Mercantile Finance Corp *v* Francis & Taylor Ltd [1929] NZLR 731 69
Northwestern Autoservices Ltd *Re* [1980] 2 NZLR 302 70
Progress Advertising (NZ) Ltd *v* Auckland Licensed Victuallers Industrial Union of Employers [1957] NZLR 1207 69
Waitomo Wools Ltd *v* Nelsons Ltd [1974] 1 NZLR 484 224

Papua New Guinea
Aundak Kupil *v* State N435 of 20 October 1983 49
Avia Aihi *v* State (1981) PNGLR 81 50
Bouraga, *Re* (1982) PNGLR 150 50
Carter *v* Korobosea Developments (1984) 6 August, unreported 50
Mauga Logging *v* South Pacific Oil Palm (No 1) (1977) PNGLR 80 48–50
Vevehupa *v* Motor Vehicles Insurance Trust N454 of 17 October 1983 50
Wawa Trading *v* Lie Tat Swie Lie and Bank of NSW (1982) PNGLR 375 49, 50

South Africa
Dawnlaan Bellegings (Edms) Bpk *v* Johannesburg Stock Exchange and Others [1983] (3) SA 344 (W) 101
Rosebank TV and Appliance Co *v* Orbit Sales Corp [1969] 1 SALR 300 71
Wolpert *v* Uitzigt Properties Ltd [1961] 2 SA 257 70

United States
Ágar *v* Orda 264 NY 248 168
Anderson *v* Knox 297 F2d 702 (9th Cir 1961) 175
Arleen Hughes *v* SEC 174 F2d 969 (DC Cir 1949) 220
Auten *v* Auten 308 NY 155 137
Baker *v* Moody, 219 F2d, 368 (5th Cir 1955) 172
Bankers Bond Co *v* Cox 1936 263 Ky 481, 92 SW2d 790 172
Barnett *v* US 319 F2d 340 (8th Cir 1963) 167
Berki *v* Reynolds Securities, Inc 560 F2d 282 (Or 1977) 167, 218
Broyles *v* Brown Engineering Co 275 Ala 35 168
Butcher *v* Newburger 318 Pa 547, 179 A240 215
Buttrey *v* Merrill Lynch, Pierce, Fenner & Smith, Inc 410 F2d (1969) 173
CFTC *v* Jack Savage [1977–79 Transfer Binder] Comm Fut L Rep (CCH) 11 20,926 266
Chipser *v* Kohlmeyer & Co 600 F2d 1061 (CA Ala 1979) 167, 218
Cohl *v* Floor Brokers [1977–80 Transfer Binder] Comm Fut L Rep (CCH) 11 20,790 266
Colonial Realty Corp *v* Bache & Co 358 F2d 178 173, 175
Cort *v* Ash 422 US 66 (1975) 172–174
Ernst & Ernst *v* Hochfelder 425 US 185 (1974) 172
Fey *v* Walston & Co, 493 F2d 1036 (7th Cir 1974) 217
Gambar Enter *v* Kelly Serv Inc 69 AD 2d 297 137
Gould *v* Ruefenacht (1985) US 28 May 285
Haag *v* Barnes 9 NY 2d 554 137
Hanley *v* SEC 415 F2d 589 (2nd Cir 1969) 168
Hecht *v* Harris, Upham & Co 283 F Supp 417 (ND Cal 1968) 265
Henrickson *v* Henrickson, 486 F Supp 622 (E D Wis 1980) 217
Hughes *v* Demsey-Tegeler & Co 534 F2d (9th Cir 1976) 174
Hughes (Charles) & Co, Inc *v* SEC 139 F2d 434 (2nd Cir 1943) 167
Hunter *v* Madda Trading Co [1980–82 Transfer Binder] Comm Fut L Rep (CCH) 11 21,242 264
Irish *v* SEC 367 F2d 637 (9th Cir 1966) 167
JI Case Co *v* Borak 377 US 426 (1967) 172
Kennedy *v* Budd 5 App Div 140, 39 NYS 81 215
Landreth Timber Co *v* Landreth (1985) US 28 May 285
Lange *v* Hentz (H) & Co 418 F Supp 1376 (ND Texas 1976) 6, 173, 174, 217
Lawrence R Leeby, 13 SEC 499, 505, (1943) 217
Leib *v* Merrill Lynch, Pierce, Fenner & Smith Inc 461 F Supp 951 175, 217

Magrine *v* Krasnica 227 F2d 539 (1968) 168
Marshak *v* Blyth Eastman Dillon & Co Inc 413 F Supp (ND Okl 1975) 218
Mears *v* Accomac Banking Bankers Bond Co 1933, Va 311, 168 SE 740 172
Merrill Lynch *v* Bocock 247 F Supp 373 (D Tex 1965) 218
Mihara *v* Dean Witter & Co Inc 619 F2d 814 (9th Cir 1980) 218
Mitchem, Jones & Templeton Inc 69 Cal Rptr 222 (CA 1968) 218
Newmark *v* Gimbel's Inc 54 NJ 585 168
Nichols & Co *v* Sec of Agriculture 13 F2d 503, 505 (1st Cir) 1943 266
Norris *v* Beyer 124 NJ Eq 2284, 1A 2d 460 (1938) 217
Nye *v* Blyth Eastman Dillon & Co 588 F2d 1189 (CA Minn 1978) 175
Phillips *v* Reynolds & Co 194 F Supp 1249 (ED Pa 1969) 168
Piper, Jaffray & Hopwood Inc *v* Ladin 399 F Supp 292 (SD Iowa 1975) 175
Plunkett *v* Dominick & Dominick, Inc 414 F Supp 885 (D Conn 1976) 175
Rampell (AS) Inc *v* Hyser Co 3 NY 2d 369 137
Raritan Trucking Corp *v* Aero Commander 458 F2d 1106 (3rd Cir 1972) 168
Rolf *v* Blyth Eastman Dillon & Co Inc, 570 F2d 38 (2nd Cir 1978) 217
Russo *v* Bache, Halsey, Stuart, Shields, Inc 554 F Supp 613 ND 111 1982 217
SEC *v* Banca Della Svizzera Italiana 92 FRD 111 (SDNY 1981) 95
SEC *v* Capital Gains Research Bureau Inc 375 US 180 (1963) 194 215
SEC *v* First Securities Co 463 F2d 981 (7th Cir) 173
SEC *v* Investors Security Corp 560 F2d 561 (3rd Cir 1977) 167
SEC *v* WJ Howey Co (1946) 328 US 293 285
Sanders *v* Nuveen (John) & Co, Inc 524 F2d 1064 (7th Cir 1975) 167
Siegal Trading Co Inc, *Re* [1977–80 Transfer Binder] Comm Fut L Rep (CCH) 11 20,452 266
Sherwood *v* Madda Trading Co [1977–80 Transfer Binder] Comm Fut L Rep (CCH) 11 20,401 265
Sluss *v* Brown-Crummer Inv Co 1936, 143 Kan 14, 53 P2d 900 172
Smith *v* The Siegal Trading Co [1977–80 Transfer Binder] Comm Fut L Rep (CCH) 11 20,434 265
Stuart *v* Crestview Mutual Water Co 110 Cal Rptr 543 (1973) 168
Teamsters *v* Daniel (1979) 439 US 551 285
Thropp *v* Bache, Halsey, Stuart, Shields, Inc 650 F2d 817 174
Touche Ross & Co *v* Redington 442 US 560 (1979) 173
Twomey *v* Mitchum, Jones & Templeton, Inc 262 Cal App 2d 690 175
United Housing Foundation Inc *v* Forman (1975) 421 US 837 285
Williamsport Fireman Pension *v* Hutton (EH) 567 F Supp 140 (MD Fla 1983) 218
Zagari *v* Dean Witter & Co (ND Cal 1976) Fed Sec L Rep 95777 (CCH) 175
Zaretsky *v* Pressman, Frohlich & Frost, 447 F Supp 203 (D Mass 1978) 218
Zimmern *v* Blount 238 F740 (5th Cir 1917) 172

ANALYSIS ARTICLES

Breach of Prospectus Requirements 247–254
Combating Commercial and Economic Crime in a Practical Way 113–121
Commodity Investment Fraud 261–269
Consolidation of the Companies Acts, The 151–154
Corporate Officers and the Outsider Protection Regime 68–76
Debenture Covenants and Corporate Value 209–214
Financial Services White Paper, The — A Legal Analysis (1) 77–81
Financial Services White Paper, The — A Legal Analysis (2) 122–126
Fixed Charges Over Future Assets of a Company 9–21
Insolvency Bill and Companies, The (1) 55–62
Insolvency Bill and Companies, The (2) 107–113
Limitation on the Exercise of Majority Power, The 199–208
Patent Licensing in the EEC 62–67
Receivership and the Protection of Unsecured Creditors 161–163
Section 75 — An Aid to the Oppressed or an Interference in Company Policy? (2) 21–32
Stockbrokers' Duty of Care in the US and UK, The (1) 3–8
Stockbrokers' Duty of Care in the US and UK, The (2) 164–176
Stockbrokers' Duty of Care in the US and UK, The (3) 215–220
Transfer of Undertakings: Recent Judicial Attitudes 254–261
Ultra Vires After *Rolled Steel* 155–160

Typeset by Kerrypress Ltd, Luton